

रजिस्टर्ड नं० पी०/एस० एम० 14.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, 13 अक्टूबर, 1978/21 अश्विन, 1900

हिमाचल प्रदेश सरकार

LAW DEPARTMENT

NOTIFICATIONS

Simla-171002, the 7th October, 1978

No. LLR-D-(6) 34/78.—The Himachal Pradesh General Sales Tax (Amendment) Bill, 1978 (Bill No. 25 of 1978) after having received the

assent of the Governor of Himachal Pradesh on the 5th October, 1978, is hereby published in the Rajpatra, Himachal Pradesh as Act No. 32 of 1978 for the information of general public.

JAI CHAND MALHOTRA,
Secretary.

Act No. 32 of 1978.

THE HIMACHAL PRADESH GENERAL SALES TAX (AMENDMENT) ACT, 1978

AN

ACT

further to amend the Himachal Pradesh General Sales Tax Act, 1968 (Act No. 24 of 1968).

It is hereby enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh General Sales Tax (Amendment) Act, 1978.

Short title and commencement.

(2) It shall come into force at once.

2. In clause (e) of section 2 of the Himachal Pradesh General Sales Tax Act, 1968 (hereinafter called the principal Act) the words “property other than newspapers, actionable” shall be inserted in between the words “movable” and “claims”.

24 of 1968

Amendment of section 2.

3. In section 6 of the principal Act, the following amendments shall be made, namely:—

Amendment of section 6.

(a) in the second proviso to sub-section (1), the sign and words, “, and such tax shall be leviable and payable at the stage of sale or purchase, as the case may be, and under the circumstances specified against such goods in Schedule ‘D’”, shall be omitted;

(b) in sub-section (2) and in sub-clause (ii) of clause (a) of sub-section (3) for the words and signs “Schedules ‘C’ and ‘D’”, the words and signs “Schedule ‘C’” shall be substituted; and

(c) for paragraph (b) of sub-clause (v) of clause (a) of sub-section (3), the following shall be substituted:—

“(b) which are referred to under section 14 of the Central Sales Tax Act, 1956 and are sold during the year in the course of inter-state trade or commerce or in the course of export out of the territory of India:”

74 of 1956

4. At the end, but before the sign “.”, of sub-section (2) of section 21 of the principal Act, the following words shall be added:—

Amendment of section 21.

“and includes a retired gazetted officer of the Himachal Pradesh Excise and Taxation Department who has an experience of working as assessing authority, appellate authority or revisional authority under this Act for a minimum period of five years, in one or more of the aforesaid capacities; provided a period of one year has elapsed since the date of his retirement from Government service”.

Amendment
of section
22.

5. After the words "Excise and Taxation Officer of the district" but before the word "seeking" occurring in proviso to sub-section (6) of section 22 of the principal Act, the words "or the Assistant Excise and Taxation Officer-in-charge of the district or barrier", shall be inserted.

Amendment
of section
35.

6. For sub-section (2) of section 35 of the principal Act, the following sub-section (2) shall be substituted, namely:—

"(2) Any Officer-in-charge of the check-post or barrier or any other officer not below the rank of an Assistant Excise and Taxation Officer appointed under sub-section (1) of section 3 or such other officer as the State Government may, by notification, appoint, may after affording to the person concerned a reasonable opportunity of being heard, impose the penalty mentioned in sub-section (1):

Provided that the Officer-in-charge of a check-post or a barrier shall exercise such powers only at such check-posts or barriers."

Amendment
of section
43.

7. In section 43, and its heading, of the principal Act, the words and sign "or Schedule 'D'" wherever these occur, and the words and commas, "as the case may be," shall be deleted.

Omission of
Schedule
'D'.

8. Schedule 'D' appended to the principal Act, shall be omitted.

Simla-171002, the 7th October, 1978

No. LLR-D(6)31/78.—The Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Ninth Amendment) Bill, 1978 (Bill No. 20 of 1978) after having received the assent of the Governor of Himachal Pradesh on the 5th October, 1978 is hereby published in the Rajpatra, Himachal Pradesh as Act No. 31 of 1978 for the information of general public.

JAI CHAND MALHOTRA,
Secretary.

Act No. 31 of 1978.

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
(ALLOWANCES AND PENSION OF MEMBERS) (NINTH
AMENDMENT) ACT, 1978**

AN

ACT

further to amend the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 (Act No. 8 of 1971).

It is hereby enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Ninth Amendment) Act, 1978.

Short title
and com-
mencement.

(2) It shall come into force at once.

8 of 1971

2. In sub-section (1) of section 6-B of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971, (hereinafter called the principal Act) the following amendments shall be made, namely:—

Amendment
of section
6-B.

(1) for the sign “:” appearing at the end of clause (c) the sign and word “; or” shall be substituted, and after clause (c) so amended the following clauses (d) and (e) shall be inserted:—

“(d) a member of—

- (i) the Legislative Assembly of the erstwhile State of Patiala and East Punjab States Union; or
- (ii) the Legislative Assembly of the erstwhile Punjab State; or
- (iii) the Legislative Council of the erstwhile Punjab State; or
- (iv) partly as a member of the one and partly as a member of the other;

who has been elected or nominated to represent the whole or the part of the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and is an ordinarily resident of the territories as comprise in the State of Himachal Pradesh; or

(e) partly as a member of the Assembly and partly as a member of the Legislative Assembly of erstwhile State of Patiala and East Punjab States Union or the Legislative Assembly/Council of the erstwhile State of Punjab, as the case may be:”;

and

(2) in the first proviso at the end of clause (iv) the word “or” shall be inserted and after clause (iv) so amended the following clause (v) shall be added:—

31 of 1966

“(v) the members of the Territorial Council of Himachal Pradesh chosen or nominated under section 3 of the Territorial Councils Act, 1956;”.

Retrospec-
tive effect
to certain
amendments.

3. The amendments made in section 6-B of the principal Act, *vide* section 2 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) (Seventh Amendment) Act, 1977, and *vide* section 2 of this Act shall always be deemed to have been made with effect from the 31st December, 1976.